

8929 /SHV

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP

Attorneys for Defendants CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG
61 Broadway, Suite 3000
New York, New York 10006-2802
(212) 344-7042

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMADI NWOKOCHA
9824 Matzon Road
Baltimore, MD 21220

Plaintiff,

V.

KALICO EXPORTS, INC.
7107 Commercial Avenue
Baltimore, MD 21237

CP SHIPS
399 Hoes Lane
Piscataway, NJ 08854

HAPAG-LLOYD (AMERICA) INC.
399 Hoes Lane
Piscataway, NJ 08854

HAPAG-LLOYD AG
Ballindamm 25
20095 Hamburg

Defendants.

Civil Action No.: 1:07-CV-8597 (SAS)

DECLARATION OF
STEPHEN H. VENGROW

Stephen H. Vengrow affirms under the penalties of perjury as follows:

1. I am a member in good standing of the bar of this Court and I am familiar with the facts and documents of this case.

2. I am a member of the law firm of Cichanowicz, Callan, Keane, Vengrow & Textor, LLP, who are attorneys for the defendants CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG.

3. I submit this declaration in support of the above defendants' motion to dismiss because the plaintiff's claim is time barred pursuant to the United States Carriage of Goods by Sea Act as well as the terms and conditions of the Bill of Lading.

4. I attest to the best of my knowledge that the attached document marked as Exhibit 1 is a complete copy of the original Complaint including all of the plaintiff's exhibits.

5. As attorney for CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG, we did not extend the time for plaintiffs to file a Complaint.

6. As attorneys for CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG, at no time did we waived any of the terms, conditions and/or defense pursuant to the Bill of Lading in our discussions with plaintiff's counsel.

7. Attached is a true and complete copy of the original Complaint with the Exhibits mentioned therein and marked as Exhibit A.

8. Attached is a true and accurate copy of the Docket Sheet of the Southern District of New York ECF as of this date. Exhibit B

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 31, 2008,

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
Attorneys for Defendants CP Ships
Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG

By: / s / Stephen H. Vengrow
Stephen H. Vengrow (SHV/3479)
61 Broadway, Suite 3000
New York, New York 10006
(212) 344-7042